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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR 07-0428 MMC
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	CONTINUING FURTHER STATUS / TRIAL
v.	)	SETTING DATE
	)	
CARMAN CHAN and PAUL LEUNG,	)	
	)	
Defendants.	)	
_____	)	

This matter is currently scheduled for a Change of Plea before this Court on Wednesday, February 27, 2008 at 2:30 pm. Counsel for the government has been out of the Office on medical leave due to an injury and has not had an opportunity to complete the restitution calculation portion of the plea agreement and provide counsel for the defendant with an approved plea agreement. Further, counsel for the government will have knee surgery on February 20, 2008, necessitating an additional estimated 2 weeks medical leave following surgery. To afford counsel for government adequate time to complete preparation of the plea agreement and to afford defense counsel adequate time to discuss this plea agreement with the defendants, the parties request that the date for Change of Plea be continued until April 2, 2008.

1 The parties agree that time is properly excluded under the Speedy Trial Act for continuity and  
2 effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and 3161(h)(8)(B)(iv).

3 For the foregoing reasons, the parties agree to continue this matter for hearing until April  
4 2, 2008 at 2:30 p.m.

5  
6 SO STIPULATED:

7 JOSEPH P. RUSSONIELLO  
8 United States Attorney

9 DATED: February 12, 2008

10 /s/  
DENISE MARIE BARTON  
Assistant United States Attorney

11  
12 DATED: February 12, 2008

13 /s/  
GARRICK LEW  
Attorney for CARMAN CHAN

14 DATED: February 12, 2008

15 /s/  
MATTHEW SIROKA  
Attorney for PAUL LEUNG

16  
17 For the foregoing reasons, this matter is continued until April 2, 2008 at 2:30 p.m.  
18 Pursuant to the Speedy Trial Act, Title 18 United States Code, sections 3161(h)(8)(A) and  
19 3161(h)(8)(B)(iv), the ends of justice are served by granting the requested continuance, given  
20 that failure to do so would deny the parties continuity of counsel and reasonable time for  
21 effective preparation, taking into account the exercise of due diligence. Accordingly, time shall  
22 be excluded from February 27, 2008 through April 2, 2008 .

23 SO ORDERED.

24  
25 DATED: \_\_\_\_\_

26 HONORABLE MAXINE M. CHESNEY  
27 United States District Court Judge  
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